

MISSOURI COURT OF APPEALS WESTERN DISTRICT

PAUL and MELISSA ENSOR,

Respondents,

v.

DIRECTOR OF REVENUE,

Appellant.

DOCKET NUMBER WD75846

Date: September 17, 2013

Appeal from:
ADMINISTRATIVE HEARING COMMISSION

Appellate Judges:
Division Three: Lisa White Hardwick, Presiding Judge, Mark D. Pfeiffer and Cynthia L. Martin, Judges

Attorneys:
Paul and Melissa Ensor, Respondents Pro Se, for appellant.
James R. Layton, Jefferson City, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

COURT OF APPEALS -- WESTERN DISTRICT

PAUL and MELISSA ENSOR

Respondents,

v.

DIRECTOR OF REVENUE,

Appellant.

WD75846

ADMINISTRATIVE HEARING COMMISSION

Before Division Three: Lisa White Hardwick, Presiding Judge, Mark D. Pfeiffer and Cynthia L. Martin, Judges

The Director of Revenue ("Director") appeals from the Administrative Hearing Commission's ("AHC") decision ordering the Director to issue a reconstructed motor vehicle title to Paul and Melissa Ensor for their 2006 Chevrolet Suburban. The Director contends the AHC's decision violates Missouri's obligation to give full faith and credit to the State of Texas's determination that the Suburban is nonrepairable and barred from repair and use on public roads.

AFFIRMED.

Division Three holds:

The AHC did not err in ordering the Director to issue a reconstructed motor vehicle title to the Ensors. The Full Faith and Credit Clause does not require Missouri to apply Texas law in lieu of its own in determining how to title vehicles in Missouri. Unlike Texas law, Missouri law allows for vehicles that are classified as junk under Section 301.010(22), RSMo Cum. Supp. 2012, but are without a junking certificate to be

reconstructed. Although the Suburban may have qualified as a junk vehicle when it was brought into Missouri from Texas, no junking certificate was ever applied for or issued. The vehicle was not junk when the Ensors bought it and applied for a Missouri title. Instead, the Suburban qualified as a reconstructed motor vehicle under Section 301.010(45), and the Ensors were entitled to a Missouri title branding it as one.

Opinion by: Lisa White Hardwick, Judge

September 17, 2013

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